

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JEFFREY SCOTT TRIBBEY,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
January 19, 2001

v

WILLIAM C. TRIBBEY, a/k/a WILLIAM
CHARLES TRIBBEY,

No. 224895
Arenac Circuit Court
Family Division
LC No. 99-006614-NA

Respondent-Appellant,

and

MARIE AUGUSTA PAPKE,

Appellee.

Before: Markey, P.J., and Whitbeck and J. L. Martlew*, JJ.

MEMORANDUM.

Respondent-appellant appeals by right from the family court order terminating his parental rights to the minor child under MCL 712A.19b(3)(k); MSA 27.3178(598.19b)(3)(k). We affirm.

The family court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent does not argue that termination of his parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *Trejo, supra* at 344, 356-357.

Respondent also argues that the family court erred by conducting a single proceeding, rather than separate adjudication and dispositional hearings in accordance with MCR 5.973(A).

*Circuit judge, sitting on the Court of Appeals by assignment.

However, because it is clear from the record that the court was aware of the distinctions between the two different phases, including the different standards of proof and the different evidentiary standards, we conclude that any error in holding only a single proceeding does not warrant reversal.

We affirm.

/s/ Jane E. Markey

/s/ William C. Whitbeck

/s/ Jeffrey L. Martlew